



Protect America's Climbing

April 11, 2018

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RE: Access Fund Comments to Management Plans for the Indian Creek and Shash Jáa Units of Bears Ears National Monument

Mr. Porter and Bureau of Land Management Planners:

Access Fund welcomes this opportunity to participate in the planning process for the newly-designated Indian Creek and Shash Jáa Units. The planning area is of significant interest to Access Fund and its members. Indian Creek is a world-class climbing area that attracts thousands of climbers from across the United States and internationally each year. The plan also affects important remote wilderness climbing areas such as Arch Canyon located within the Shash Jáa Unit. Access Fund members regularly climb at these locations, and the organization has provided climbing management funding, expertise and labor for stewardship projects, and community outreach throughout the planning area to assist the Bureau of Land Management (BLM) with stewardship projects and ensure the appropriate management of the iconic climbing resources found within these areas.

As a threshold issue, Access Fund opposes President Trump's December 4, 2017 Proclamation revoking the Bears Ears National Monument (BENM) and replacing it with the Indian Creek and Shash Jáa Units (Proclamation 9681).¹ Access Fund believes that the process leading to President Obama's December 28, 2016 proclamation creating the BENM (Proclamation 9558)² adequately incorporated public outreach and coordination with relevant stakeholders, and conformed to the requirements and spirit of the Antiquities Act of 1906. Access Fund participated in public listening sessions and shared detailed climbing resource data as part of the extensive public outreach effort the prior administration engaged in prior to designating the BENM. Further, Access Fund believes that the President lacks the legal authority under the Antiquities to revoke the BENM as designated by President Obama and replace it with the Indian Creek and Shash Jáa Units. Accordingly, we believe that this management planning process is inconsistent with federal law and the governing monument designation, Proclamation 9558, and the management planning regime dictated therein. However, because this action has the potential to significantly impact the management of the climbing environment and many other important values contained within the planning area, Access Fund provides the following comments as part of the BLM's scoping process for the proposed management planning process for the Indian Creek and Shash Jáa Units.

The Access Fund

The Access Fund is a national advocacy organization whose mission keeps climbing areas open and conserves the climbing environment. A 501(c)(3) non-profit supporting and representing over 7

million climbers nationwide in all forms of climbing—rock climbing, ice climbing, mountaineering, and bouldering—Access Fund is the largest U.S. climbing organization with over 20,000 members and 115 affiliates. We currently hold memorandums of understanding³ with the BLM, the National Park Service, and the U.S. Forest Service to work together regarding how climbing will be managed on federal land. Access Fund provides climbing management expertise, stewardship, project specific funding, and educational outreach for climbing areas across the country, including the Bears Ears region, and Utah is one of our largest member states. For more information about the Access Fund, visit www.accessfund.org.

For nearly twenty years, Access Fund’s policy program has worked on land management issues throughout the State of Utah, and the Bears Ears region specifically, including participation as a leading stakeholder in several BLM planning initiatives and various legislative proposals affecting southeastern Utah. Access Fund has been working in the Indian Creek area since the late 1990s, and we’ve participated in several regional public land initiatives including the BLM 2004 Indian Creek activity plan, BLM’s Moab and Monticello 2008 Resource Management Plans, the 2016 Moab Master Leasing Plan, and other planning, management and stewardship initiatives. In addition, Access Fund staff served on county committees and represented climbing and other recreation interests for three years on the Utah Public Land Initiative (PLI). Following the failed PLI legislative effort, Access Fund advocated for climbers during the public-outreach process related to the December 28, 2016 Proclamation 9558 establishing the BENM.⁴ As a result of these efforts, Proclamation 9558 acknowledged “rock climbing” as providing “world class recreation” within the monument and established an advisory committee with at least one designated seat for “recreational users.” The acknowledgment of climbing in Proclamation 9558 was significant because it acknowledged the world-class quality of the climbing resource and experience found only in the Bears Ears region and conferred a prominent stakeholder role for the climbing community in the planning process for the BENM.

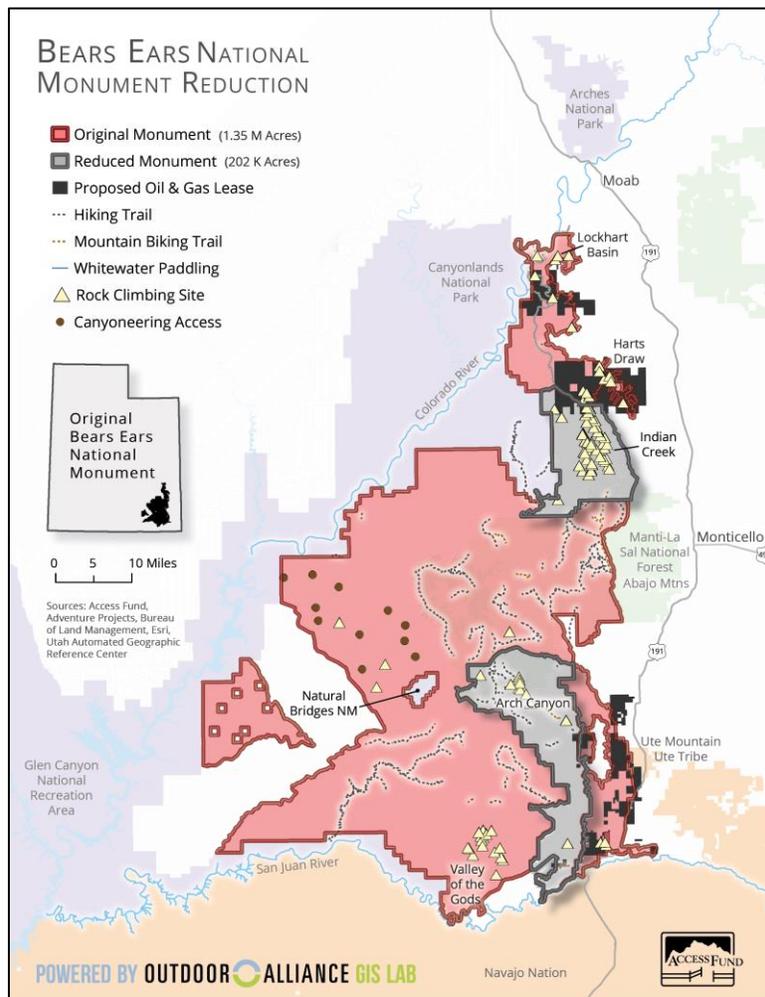
Access Fund has been a leader in stewardship projects at Indian Creek since the late 1990s, providing funding, trail planning and construction expertise for several projects throughout the Indian Creek corridor. Since 2003, Access Fund has committed approximately \$50,000 to stewardship and conservation efforts throughout Indian Creek in the form of grant funds dispersed to partner organizations through the Access Fund Climbing Conservation Grant Program. These funds have helped cover costs for vault toilet installations, kiosks & signage and trail stewardship projects. In addition to grant awards, Access Fund has committed its own staff time for management planning, land conservation efforts and trail crew resources. This work and support from Access Fund and our partners has resulted in improved parking areas, three weeks of annual volunteer stewardship initiatives, approximately five miles of sustainable climbing access trails, improved human waste management, and cultural resource protection. Access Fund’s most recent project at Indian Creek was the March 2018 “Work Week in the Creek,” a cooperative effort by Access Fund partners like the Front Range Climbing Stewards, Rocky Mountain Field Institute, Friends of Indian Creek and the local Monticello BLM office to rebuild the approach to the popular Scarface Wall.

Access Fund is dedicated to continuing its deep rooted support for the protection of the valuable resource throughout Indian Creek and the entire Bears Ears region and submits these comments as part of those ongoing efforts. Access Fund generally suggests that the management plan for the Indian Creek and Shash Jaa Units assess current and future use patterns in these areas to plan for any new trails

needed and to authorize trail protection and enhancement of existing trails, and provides more detailed comments below.

Proclamation 9681 Requires An Advisory Role for Recreational Users

On December 4, 2017, President Donald Trump signed Proclamation 9681 revoking the BENM as designated by President Obama in Proclamation 9558, and establishing the Indian Creek and Shash Jáa Units. Thereby, Proclamation 9681 excluded approximately 1.15 million acres of land from protection as a national monument, many acres which contain important climbing resources and are now not covered by this management planning process (see map below).⁵



Proclamation 9681 also revoked Proclamation 9558’s mandate to establish a tribal-led “Bears Ears Commission” to provide guidance and recommendation as part of the management planning process. Proclamation 9681 instead requires the establishment of the “Shash Jáa Commission,” limits that Commission’s guidance and recommendations to only the Shash Jáa Unit, and requires that an elected San Juan County Commissioner sit on the Commission. Under Proclamation 9681, the Shash Jáa Commission has no advisory role pertaining to the Indian Creek unit.

Notably, however, Proclamation 9681 explicitly retains some of the monument management planning provisions from Proclamation 9558 by stating “[n]othing in this proclamation shall change the management of the areas designated and reserved by Proclamation 9558 that remain part of the monument in accordance with the terms of this proclamation.” This includes the requirement that BLM and the U.S. Forest Service provide for “maximum public involvement” in the development of a management plan and “establish an advisory committee under the Federal Advisory Committee Act (FACA) to provide information and advice regarding the development of the management plan and consist of a fair and balanced representation of interested stakeholders,” including “recreational users,” among others.

A FACA charter for a Bears Ears National Monument Advisory Committee was signed on January 18, 2017 by former Interior Secretary Sally Jewell, but that FACA charter was never submitted to the federal register and now a new charter needs to be created and certified to fulfill this important mandate under Proclamations 9558 and 9681. We expect BLM to begin the process of chartering this advisory committee immediately so that it can provide meaningful input regarding this management planning initiative. In addition, given the national and world-class prominence of Indian Creek as a rock climbing area (as described below), we assert that the Access Fund should represent the “recreational user” community on this advisory committee, as directed under Proclamations 9558 and 9681, given climbing’s importance to the recreational community in the Bears Ears region (as demonstrated by the specific acknowledgement of climbing in Proclamation 9558) and our longstanding and integral role in Indian Creek planning and management.

Climbing Resources in the ‘Indian Creek and Shash Jáa’ Units of Bears Ears National Monument Planning Area

The Indian Creek Corridor is one of the most popular climbing areas in the United States and is renowned as one of the world’s most unique and inspiring rock climbing experiences. Climbers are drawn to the region’s unique combination of scenic beauty, remarkable landscape, perfectly fractured crack systems, diversity and concentration of climbing routes, and high-quality compact sandstone—a combination found nowhere else. Climbers have been visiting the area since the 1960s. The tower formations and the many parallel-sided crack systems on the canyon walls provide well-known climbing routes such as *Supercrack*, *The Incredible Hand Crack*, and *Lightning Bolt Cracks* among thousands more.⁶

The scenic quality and cultural features of Indian Creek contribute to the deep personal attachment that many people have for the area. Most climbers agree that Indian Creek should remain as primitive as possible, yet most also agree that increased use-levels necessitate management strategies that mitigate recreation impacts. Accordingly, we believe that BLM should select a management direction in this plan that maintains the primitive character of Indian Creek, preserving its outstanding landscape qualities. Access Fund believes BLM should also consider the unique and world-class climbing opportunities at Indian Creek when developing management alternatives and implementing related decisions. There is no other climbing area in the world like Indian Creek and this recreational value should be emphasized in any management initiative that is established for the Indian Creek Unit.

Indian Creek Management Needs

The bulk of Access Fund's interest in this management planning process concerns the Indian Creek Corridor, but the important climbing opportunities in Arch and Texas Canyons should not be ignored. Proclamation 9558 acknowledged the area's world class cultural and paleontological resources, and stated that the BENM would preserve a "diverse array of natural and scientific resources, ensuring that the prehistoric, historic, and scientific values." As noted, the Proclamation 9558 also recognized that the "area contains numerous objects of historic and of scientific interest, and it provides world class outdoor recreation opportunities, including rock climbing, hunting, hiking, backpacking, canyoneering, whitewater rafting, mountain biking, and horseback riding." Accordingly, this plan should assess the location of these resources to protect sensitive areas while also planning for the appropriate use and enjoyment of the region by recreational users.

Specifically, the Access Fund urges BLM to consider the following management issues for the management plan for the Indian Creek and Shash Jáa Units:

1. Camping

The Access Fund has long been involved in planning and management of Indian Creek camping opportunities such as providing resources for group campgrounds and protecting more remote dispersed camping experiences. We support a limit on new camping developments in the Indian Creek Corridor as long as there are enough camping locations to accommodate demand so to limit any impacts from unmanaged camping.

As noted in our 2015 Comments to the BLM Monticello Field Office's *Draft Business Plan for BLM Monticello Field Office Campgrounds*, Access Fund recognizes that the most Indian Creek visitors are rock climbers, and that increased visitation necessitates higher levels of management than in the past. We believe that any new camping fees should be commensurate with similar campgrounds in the area, and that it is also important to provide free and undeveloped camping experiences at more remote, dispersed sites in the corridor.

This management plan should consider what future campground needs might be necessary and determine whether existing group sites should be expanded. Central to the work during the 2004 Indian Creek Activity Plan was to plan for large groups sites but also designate a range of other camping experiences such smaller campgrounds and dispersed sites that provide much more solitude than the group camping areas. This plan should continue that effort to provide for a range of camping experiences throughout the Indian Creek and Shash Jáa Units while clustering most of the camping at specific locations (i.e., Superbowl and Creek Pasture campgrounds) to protect the undeveloped character of the corridor.

2. Human waste

Ensuring appropriate human waste management for climbers has been a longstanding project for the Access Fund along with our partners at the Friends of Indian Creek and American Alpine Club. Following a temporary "wag bag" program, significant investments have been made for the construction and management of toilets throughout the Indian Creek corridor. This plan should consider any additional human waste management needs given current and projected use levels and patterns. As in the

past, Access Fund and our partners stand ready to help BLM plan and fund human-waste management projects.

3. Trails

This plan should consider non-motorized recreation access trails that may not be covered by the transportation plan (“motorized and non-mechanized vehicle use on roads and trails”) required by Proclamations 9558 and 9861. Key trails include the many climbing access trails throughout the Indian Creek corridor, as well as hiking and equestrian trails throughout the Indian Creek and Shash Jáa Units. Visitation continues to increase at Indian Creek. As a result, Access Fund has worked regularly, alongside BLM, to prevent erosion and protect and enhance climbing trails. This plan should also consider parking locations and capacity for popular climbing access trailheads.

4. Climbing Management

Cliff nesting birds in the Indian Creek corridor have precipitated seasonal climbing closures to accommodate nesting cycles. These closures have been publicized by BLM, climbing group websites and other publications, and compliance has been very high. Cultural resource protection efforts have also justified a few climbing route closures at Indian Creek. We encourage BLM to continue engaging with the climbing community to determine whether any additional climbing management initiatives should be considered in the Indian Creek and Shash Jáa Units.

5. Education

The Access Fund acknowledges that climbing has impacts on the environment, and education and stewardship are the best strategies to resolve climbing-related impacts. The Access Fund works with local climbing communities all across the country to develop long-term stewardship plans that sustainably manage impacts—like human waste and trash—and assure the integrity of our climbing landscapes. In addition, Access Fund’s Conservation Team provides leadership, expertise, and inspiration to ensure that climbing areas across the country are sustainably cared for. Access Fund and the Friends of Indian Creek local climbing organization have spearheaded climber education signs, stewardship projects and other necessary educational efforts to protect the fragile Indian Creek environment and climbing experience. This plan should outline education needs and potential partnerships that can effectively develop and publish educational materials that can prevent recreational user impacts, while also providing interpretative information describing the area’s unique geology, cultural history and natural environment.

6. BLM Management Resources

Indian Creek has long suffered from a chronic lack of management resources, especially given the obvious world-class and immense popularity of the region to rock climbers and many other user groups. A lack of federal funding and other resources from BLM’s state office has provided very meager human resources such as field rangers or a presence of any kind. Agency dollars that could assist with capital improvements to address increasing demand and the need for more toilets, hardened campsites, trail and other stewardship needs is also insufficient. Non-governmental organizations such as the Access Fund, Rocky Mountain Field Institute, American Alpine Club, and others—along with partnerships with the

outdoor industry companies such as with Petzl, Black Diamond, Patagonia and others—have provided the funding and expertise to provide for the management and stewardship the Indian Creek Corridor. This plan should be appropriately funded so it can address the current and future needs addressed herein.

7. Arch Canyon and Other Climbing Areas

Arch and Texas Canyons—located within the Shash Jáa Unit—represent some of canyon country’s wildest and most remote climbing locations. These climbing experiences are high adventure requiring long technical approaches and several difficult multi-pitch tower climbs including Dreamspeaker, Angel Arch, Lone Star, and the massive Texas Tower, perhaps the tallest desert tower on the Colorado Plateau. In addition to the wild climbing opportunities found at Arch Canyon, Proclamation 9681 recognizes the numerous paleontological fossils from the Permian and Upper Permian eras, and cliff dwellings hidden throughout the canyon from the Pueblo II and III periods containing pictographs and petroglyphs ranging from the Archaic to the historic periods. Accordingly, the plan should prioritize retaining the primitive nature of this canyon to protect these unique climbing experiences and other important cultural and conservation values. Other important climbing areas within the Shash Jáa Unit that this plan should develop management strategies for include Comb Ridge.

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Access Fund appreciates BLM’s management of the Indian Creek area. While we believe the initial Proclamation 9558 should be considered the “law of the land,” and thus this planning process should be much larger in geographic scope, these management issues and challenges should be incorporated into the scope of any monument plan for the Bears Ears region. Significantly, pursuant to Proclamations 9558 and 9861, the BLM should charter an advisory committee including recreational users to provide specific recommendations as to the development of this plan and subsequent management. Feel free to contact me via telephone (720-588-3512) or email (erik@accessfund.org) to discuss this matter further. We look forward to working with the BLM top develop and appropriate and effective plan for the world-class landscape found only at Bears Ears.

Best Regards,



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Policy Director
Access Fund

Cc: The Friends of Indian Creek
Salt Lake Climbers Alliance
Brady Robinson, Access Fund executive director
Jason Keith, Access Fund senior policy advisor

¹ See <https://www.whitehouse.gov/presidential-actions/presidential-proclamation-modifying-bears-ears-national-monument/>

² See <https://obamawhitehouse.archives.gov/the-press-office/2016/12/28/proclamation-establishment-bears-ears-national-monument>

³ See http://www.accessfund.org/site/c.tml5KhNWLrH/b.5000797/k.40E2/Collaboration_with_federal_agencies.htm.

⁴ See https://www.accessfund.org/uploads/PLI-BearsEars_OA-OIA-AF_FINAL-20160729.pdf

⁵ The following climbing areas were included in Proclamation 9558 establishing Bears Ears National Monument, but were excluded from the monument by Proclamation 9681:

- Valley of the Gods/Mexican Hat Rock Climbing - <https://www.mountainproject.com/area/105716760/valley-of-the-godsmexican-hat>
- Bluff Area - <https://www.mountainproject.com/area/109346500/bluff>
- Jacob's Chair - <https://www.mountainproject.com/forum/topic/107214009/jacobs-chair-utah>
- Hammond Canyon - <https://www.mountainproject.com/area/107780314/hammond-canyon>
- Cliffs of Insanity - <https://www.mountainproject.com/area/105790333/cliffs-of-insanity>
- The Wall - <https://www.mountainproject.com/area/105854200/the-wall>
- Harts Draw - <https://www.mountainproject.com/area/107483982/harts-draw>
- Lockhart Basin - <https://www.mountainproject.com/area/105716817/lockhart-basin>

⁶ See <https://www.mountainproject.com/area/105716763/indian-creek>